

Regular Session, 2009

HOUSE BILL NO. 511

BY REPRESENTATIVE HARRISON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENT/TUITION: (Constitutional Amendment) Exempts public postsecondary education tuition amounts and mandatory fees from requirements for imposing a new or increasing an existing tax or fee

1 A JOINT RESOLUTION

2 Proposing to add Article VII, Section 2.1(C) of the Constitution of Louisiana, relative to
3 requirements and procedures for the imposition of or increase in a new state tax or
4 fee; to provide exceptions relative to public postsecondary education tuition amounts
5 and mandatory fees; to provide for submission of the proposed amendment to the
6 electors; and to provide for related matters.

7 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
8 elected to each house concurring, that there shall be submitted to the electors of the state of
9 Louisiana, for their approval or rejection in the manner provided by law, a proposal to add
10 Article VII, Section 2.1(C) of the Constitution of Louisiana, to read as follows:

11 §2.1. Fees and Civil Fines; Limitation; Exceptions

12 Section 2.1.

13 * * *

14 (C) The provisions of Paragraph (A) of this Section shall not apply to
15 imposition of a new tuition amount or mandatory fee or to an increase in a tuition
16 amount or mandatory fee by a public postsecondary education management board.

17 Section 2. Be it further resolved that this proposed amendment shall be submitted
18 to the electors of the state of Louisiana at the statewide election to be held on November 2,
19 2010.

1 Section 3. Be it further resolved that on the official ballot to be used at said election
2 there shall be printed a proposition, upon which the electors of the state shall be permitted
3 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
4 read as follows:

5 To provide that the requirement for enactment of a law by a two-thirds vote
6 of the legislature for the state to impose any new fee or increase in an
7 existing fee shall not apply to new or increases in tuition amounts or
8 mandatory fees imposed by a public postsecondary education management
9 board. (Adds Article VII, Section 2.1(C))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Harrison

HB No. 511

Abstract: Provides that the requirement for enactment of a law by a two-thirds vote of the legislature for the state to impose any new fee or increase in an existing fee shall not apply to new or increases in tuition amounts or mandatory fees imposed by a public postsecondary education management board.

Present constitution provides that any new fee or civil fine or increase in an existing fee or civil fine imposed or assessed by the state or any board, department, or agency of the state shall require the enactment of a law by a two-thirds vote of the elected members of each house of the legislature.

Specifies that present constitution requirement does not apply to any department which is constitutionally created and headed by an officer who is elected by majority vote of the electorate of the state.

Proposed constitutional amendment retains present constitution and provides that present constitution requirement shall not apply to imposition of a new tuition amount or mandatory fee or the increase in a tuition amount or mandatory fee by a public postsecondary education management board.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 2, 2010.

(Adds Const. Art. VII, §2.1(C))